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OFFICE OF PETITIONS

Steptoe & Johnson LLP
1330 Connecticut Avenue, NW
Washington, DC 20036

In re Patent No. 7,521,258	:	
Friedman et al.	:	DECISION UPON REMAND AND
Issue Date: April 21, 2009	:	RECONSIDERATION OF
Application No. 10/780,295	:	PATENT TERM ADJUSTMENT
Filed: Feb. 17, 2004	:	AND NOTICE OF INTENT
Attorney Docket No.	:	TO ISSUE CERTIFICATE OF
16454.00002D2	:	CORRECTION
Title: Methods of Detecting,	:	
Measuring, and Evaluating	:	
Modulators of Body Weight in	:	
Biological Samples and	:	
Diagnostic, Monitoring, and	:	
Therapeutic Uses Thereof	:	

This is a decision following remand from the District Court for the District of Columbia regarding the patent term adjustment indicated on the above-identified patent. The Court remanded this matter to the U.S. Patent and Trademark Office for recalculation of the patent term adjustment in accordance with the decision in Wyeth & Elan Pharma Int'l Ltd. v. Kappos, 591 F.3d 1364 (Fed. Cir. 2010).

The patent term adjustment indicated on the above-identified patent has been recalculated as directed by the Court. The term of the above-identified patent is extended or adjusted by five hundred eighty-four (584) days.

The application is being forwarded to the Certificates Branch for issuance of a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by five hundred eighty-four (584) days.

Telephone inquiries specific to this matter should be directed to Senior Legal Advisor, Kery A. Fries at (571) 272-7757.

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/Kery A. Fries/

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Kery A. Fries
Senior Legal Advisor Attorney
Office of Patent Legal Administration
Office of Associate Commissioner
For Patent Examination Policy

Enclosure: Copy of DRAFT Certificate of Correction

Day : Tuesday
Date : 5/18/2010

Time : 12:18:04

PALM INTRANET**PTA Calculations for Application: 10/780295**

Application Filing Date:	02/17/2004	PTO Delay (PTO):	441
Issue Date of Patent:	04/21/2009	Three Years:	0
Pre-Issue Petitions:	0	Applicant Delay (APPL):	111
Post-Issue Petitions:	0	Total PTA (days):	584
PTO Delay Adjustment:	254		

File Contents History

Number	Date	Contents Description	PTO	APPL	START
80	05/18/2010	ADJUSTMENT OF PTA CALCULATION BY PTO	254		
74.5	04/01/2009	PTA 36 MONTHS			
74	04/21/2009	PATENT ISSUE DATE USED IN PTA CALCULATION			
73	03/20/2009	EXPORT TO FINAL DATA CAPTURE			
72	03/19/2009	DISPATCH TO FDC			
71	03/16/2009	MAIL-PETITION DECISION - DISMISSED			
70	03/16/2009	PETITION DECISION - DISMISSED			
69	01/07/2009	PETITION ENTERED			
68	01/13/2009	APPLICATION IS CONSIDERED READY FOR ISSUE			
67	01/07/2009	ISSUE FEE PAYMENT VERIFIED			
66	01/07/2009	ISSUE FEE PAYMENT RECEIVED			
65	11/18/2008	FINISHED INITIAL DATA CAPTURE			
64	10/24/2008	SEQUENCE FORWARDED TO PUBS ON TAPE			
63	10/13/2008	EXPORT TO INITIAL DATA CAPTURE			
62	10/08/2008	MAIL NOTICE OF ALLOWANCE	6		53
61	10/01/2008	ISSUE REVISION COMPLETED			
60	10/01/2008	DOCUMENT VERIFICATION			
59	10/01/2008	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED			
58	10/01/2008	CASE DOCKETED TO EXAMINER IN GAU			
57	10/01/2008	NOTICE OF ALLOWABILITY			
54	07/06/2008	DATE FORWARDED TO EXAMINER			
53	06/02/2008	RESPONSE AFTER NON-FINAL ACTION		22	51
52	06/02/2008	REQUEST FOR EXTENSION OF TIME - GRANTED			

51	02/11/2008	MAIL NON-FINAL REJECTION			
50	02/04/2008	NON-FINAL REJECTION			
45	11/24/2007	DATE FORWARDED TO EXAMINER			
44	10/30/2007	AMENDMENT SUBMITTED/ENTERED WITH FILING OF CPA/RCE			
43	11/24/2007	DATE FORWARDED TO EXAMINER			
42	10/30/2007	REQUEST FOR CONTINUED EXAMINATION (RCE)			
41	11/24/2007	DISPOSAL FOR A RCE / CPA / R129			
40	10/30/2007	WORKFLOW - REQUEST FOR RCE - BEGIN			
39	10/17/2007	CHANGE IN POWER OF ATTORNEY (MAY INCLUDE ASSOCIATE POA)			
38	10/16/2007	CORRESPONDENCE ADDRESS CHANGE			
37	09/19/2007	MAIL FINAL REJECTION (PTOL - 326)			
36	09/17/2007	FINAL REJECTION			
35	07/05/2007	OATH OR DECLARATION FILED (INCLUDING SUPPLEMENTAL)			
34	07/13/2007	DATE FORWARDED TO EXAMINER			
33	07/05/2007	RESPONSE AFTER NON-FINAL ACTION		86	31
32	07/05/2007	REQUEST FOR EXTENSION OF TIME - GRANTED			
31	01/10/2007	MAIL NON-FINAL REJECTION			
30	01/08/2007	NON-FINAL REJECTION			
29	02/17/2004	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
28	10/05/2006	DATE FORWARDED TO EXAMINER			
27	09/29/2006	RESPONSE TO ELECTION / RESTRICTION FILED		3	25
26	09/29/2006	REQUEST FOR EXTENSION OF TIME - GRANTED			
25	06/26/2006	MAIL RESTRICTION REQUIREMENT	435		-1
24	06/23/2006	REQUIREMENT FOR RESTRICTION / ELECTION			
23	11/02/2004	IFW TSS PROCESSING BY TECH CENTER COMPLETE			
22	11/02/2004	CASE DOCKETED TO EXAMINER IN GAU			
21	02/17/2004	REFERENCE CAPTURE ON IDS			
20.7	02/17/2004	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
20	02/17/2004	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
19	07/21/2004	APPLICATION RETURN FROM OIPE			

18	07/21/2004	APPLICATION RETURN TO OIPE			
17	07/21/2004	APPLICATION DISPATCHED FROM OIPE			
16	07/21/2004	APPLICATION IS NOW COMPLETE			
15	06/25/2004	PAYMENT OF ADDITIONAL FILING FEE/PREEXAM			
14	02/17/2004	CLAIM PRELIMINARY AMENDMENT			
13	06/25/2004	A STATEMENT BY ONE OR MORE INVENTORS SATISFYING THE REQUIREMENT UNDER 35 USC 115, OATH OF THE APPLIC			
12	06/15/2004	NOTICE MAILED--APPLICATION INCOMPLETE--FILING DATE ASSIGNED			
9	06/02/2004	CRF IS GOOD TECHNICALLY / ENTERED INTO DATABASE			
8	02/17/2004	CRF DISK HAS BEEN RECEIVED BY PREEXAM / GROUP / PCT			
5	03/31/2004	CLEARED BY L&R (LARS)			
4	03/23/2004	REFERRED TO LEVEL 2 (LARS) BY OIPE CSR			
3	03/23/2004	CASE CLASSIFIED BY OIPE			
2	03/05/2004	IFW SCAN & PACR AUTO SECURITY REVIEW			
1	02/17/2004	INITIAL EXAM TEAM NN			

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EXPLANATION OF PTA CALCULATION

EXPLANATION OF PTE CALCULATION

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UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT : 7,521,258 B2

DATED : April 21, 2009

DRAFT

INVENTOR(S) : Friedman et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 330 days

Delete the phrase "by 330 days" and insert -- by 584 days--